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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,411	07/19/2001	Sharon Drew Morgen	23091-P001US	7298
34082	7590	04/07/2006	EXAMINER	
ZARLEY LAW FIRM P.L.C. CAPITAL SQUARE 400 LOCUST, SUITE 200 DES MOINES, IA 50309-2350			JARRETT, SCOTT L	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/909,411

Applicant(s)

MORGEN, SHARON DREW

Examiner

Scott L. Jarrett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/23/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This **Final** office action is in response to Applicant's amendment filed February 27, 2006. Applicant's amendment amended Claims 1-4 and added new Claims 5-7. Currently Claims 1-7 are pending.

Response to Amendment

2. The Objection to the Drawings in the previous office action are objected to in response to Applicant's submission of corrected drawings.

Response to Arguments

3. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., predicting answers to the questions) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

It is noted that the applicant did not challenge the officially noticed fact(s) cited in the previous office action(s) therefore those statements as presented are herein after

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prior art. Specifically it has been established that it was old and well known in the art at the time of the invention:

- to conduct sales over the Internet; and
- to automate manual activities using the Internet.

Drawings

4. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because Figure 7 should be designated by a legend such as Prior Art.

Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Figure 7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Title

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: An Internet-based Method for Enabling Users To Determine What is Missing From Their Website.

Claim Objections

6. Claim 7 is objected to because of the following informalities: Claim 7 contains a grammatical error "cite" instead of the intended "site" and "surfaces" instead of the intended "services." Appropriate correction is required.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 1-7 are rejected under 35 U.S.C. 101 because directed towards non-statutory subject matter.

Regarding Claims 1-7, for a claimed invention to be statutory, the claimed invention must produce a useful, concrete, and tangible result.

In the present case, the claimed process for assisting visitor's in determining what is missing from their website by asking a plurality of open-ended questions does not produce a useful, concrete, and tangible result wherein the process, as disclosed, is uncertain and unrepeatable.

More specifically the three sets of one or more open-ended questions regarding a visitor's website produces a myriad of potential answers/responses, none of which are disclosed in the specification, which in turn would generate a myriad of potential solutions, none of which are disclosed in the specification; thereby making the method steps unrepeatable. Further each and every a visitor uses the disclosed process for determining what is missing from their website the process steps (sequence/series of questions/responses) as well as the end result (identified solution) is uncertain and unpredictable.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claims 1-7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding Claims 1-7 the disclosure fails to state or teach one of ordinary skill in the art the how to determine what is missing from a visitor's website or how to determine potential solutions to what is missing from a visitor's website making the process as disclosed uncertain and unrepeatable.

For example Claim 3 recites that the visitor selects from presented (i.e. known, potential) responses (answers) to the first set of one or more questions however the disclosure does not discuss what those responses are or how one of ordinary skill in the art would generate/determine them.

Without further disclosure as to how the one or more sets or one or more questions determine what is missing from a visitor's website and how the answers to one or more sets of questions change (are influenced by) previous set of questions and responses one skilled in the art would be unable to practice the invention without undue experimentation.

Further the disclosure fails to state or teach one of ordinary skill in the art the best mode (by hand, computer or like device) for determining what is missing from a visitor's website.

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 1-2 and 6-7 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claims 1-2 and 6-7 the disclosure fails to clearly define the terms "adequately" or "acceptable." The terms "adequately" and "acceptable" are very subjective and interpretations of the terms vary widely depending on the person practicing the invention. For example, what one person might deem to be "adequate" and/or "acceptable" could easily be inadequate and/or unacceptable for another person. Therefore the intended scope of such terminology is unclear thereby rendering the claims indefinite under U.S.C. 112 2nd paragraph.

Regarding Claims 1 and 2 the disclosure fails to clearly define the phrase "cultural norm." The phrase "cultural norm" is are very subjective and interpretations of the terms vary widely depending on the person practicing the invention. For example, what one person might deem to be a "cultural norm" could easily not be a "cultural

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norm" for another person. Therefore the intended scope of such terminology is unclear thereby rendering the claims indefinite under U.S.C. 112 2nd paragraph.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Duyne et al., U.S. Patent No. 6,859,784 in view of Morgen, Sharon Drew, Selling with Integrity (1997).

Regarding Claim 1 Van Duyne et al. teach a method for gathering research data from visitor's to a website (i.e. when the visitor is browsing the website) which assist's the website owner/operator make criteria-based decision(s) about the website comprising:

- presenting a (first) set of one or more questions to the visitor on a web page (website) wherein the questions assist the visitor determine what is missing from a visitor's website (usability testing, product/site research, etc.; website strengths/weaknesses, tests for common errors, etc.; Column 1, Lines 50-65; Column 9, Lines 30-50; Figures 2, 6E-6F);

- presenting a (second) set of one or more questions to the visitor on a web page (i.e. via a website) wherein the questions assist the visitor in determining why the visitor is unable to (adequately) solve the problem with the resources currently at the visitor's disposal (e.g. website usability testing determines how effectively visitor's to the

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website can complete one or more tasks on the current website; Column 4, Lines 34-62; Column 9, Lines 50-68);

- wherein the visitors' responses are used to determine what is missing from the visitor's website (i.e. originate from research; common errors, library/index of pre-defined questions/research, benchmark library; Column 7, Lines 13-16; Column 9, Lines 30-68; Figure 1, Elements 138, 140; Figure 2); and

- presenting the results of the research/questions (Column 11, Lines 29-33) wherein the results drive/determine whether the website and/or the research should be changed/updated (Figure 2, Elements 216, 218).

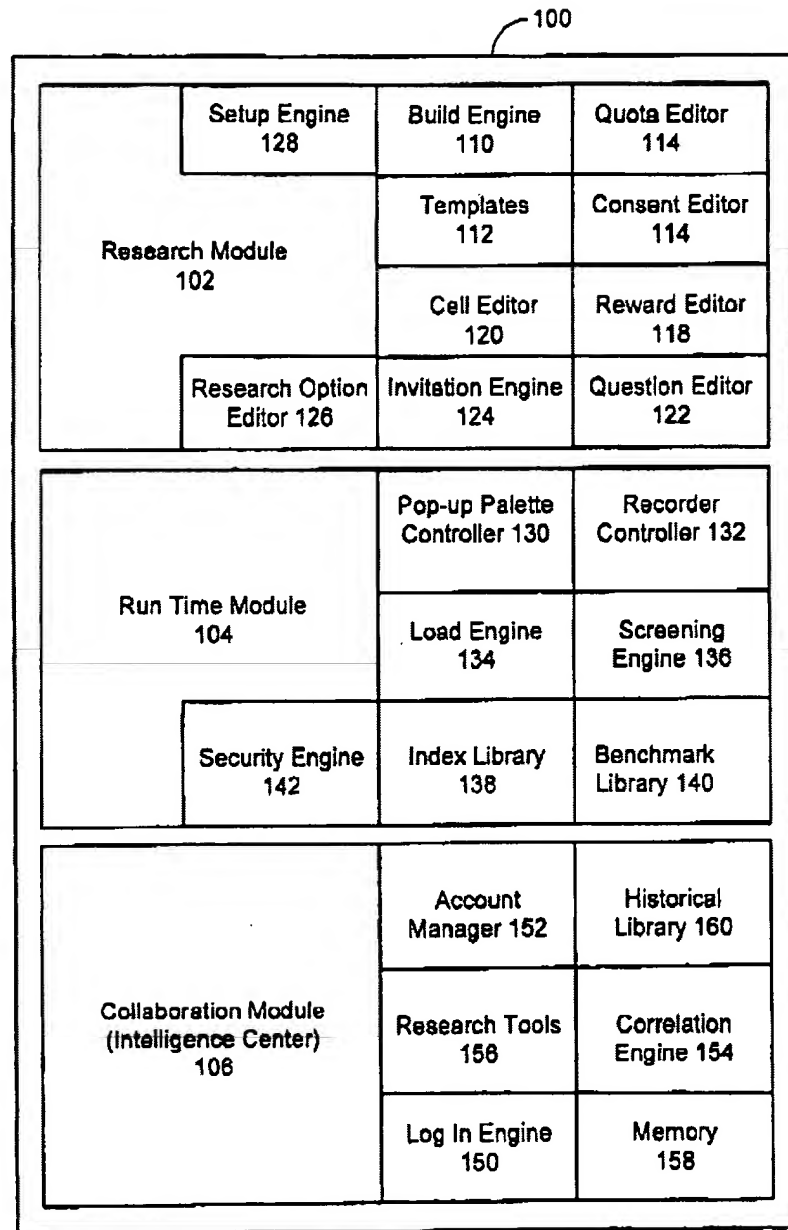
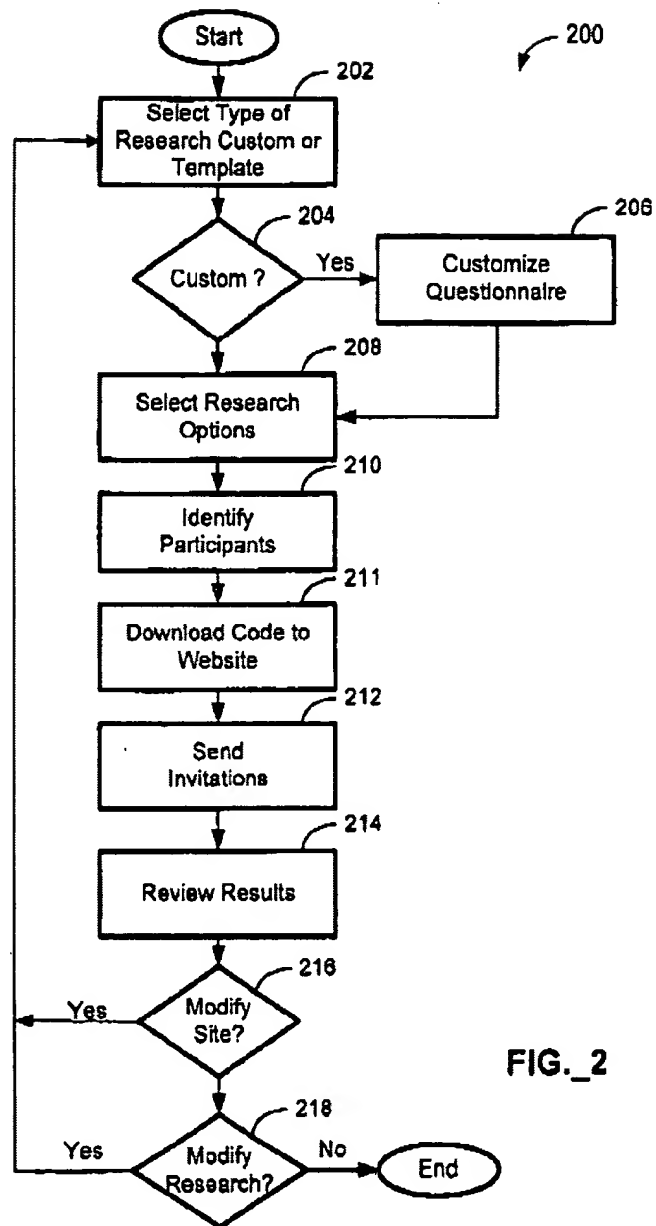


FIG. 1



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Perfecting the Web Experience™

Intelligence Center Setup →

1. Account ✓

2. Site

3. Invite

Site Name (required)**Instructions**

Use this screen to create your Intelligence Center. Filling in the requested information about your site will allow NetRaker to help you gather information tailored to your site.

Content Type**Usage Type****Education**

- ☐ College and University
- ☐ College Entrance
- ☐ K-12

Government

- ☐ Federal Government
- ☐ State & Local Government
- ☐ Taxes

Computers and Internet

- ☐ Internet Directories and Search Engines
- ☐ Computer Games
- ☐ Software Downloads
- ☐ Magazines
- ☐ Newsgroups
- ☐ Personalized Web Pages
- ☐ Product Reviews
- ☐ Web Development

News and Media

- ☐ Internet Broadcasts
- ☐ Magazines
- ☐ News
- ☐ Radio
- ☐ Television Networks
- ☐ Weather

- ☐ Browse for Info
- ☐ Search for Info
- ☐ Buy Item
- ☐ Customization
- ☐ Read News
- ☐ Bid on Item/Sell Item
(in an online auction)
- ☐ Use Service
- ☐ Chat/Collaborate
- ☐ Perform Transactions
- ☐ Play Game
- ☐ Download Software
- ☐ Audio/Video
- ☐ None of the Above

NetRaker
Research Setup

[my home](#) > NetRaker Intelligence Center

[Help](#) [Support](#) [Sign-out](#)

Research Setup → **1. Choose** **2. Edit** **3. Invite** **4. Review**

Step 1a: Choose Research Name

(Required)

- Use a descriptive name that summarizes the goal of your research

Instructions

Welcome to the Research Setup Wizard. In the next few screens you will:

1. Choose your research name and research type.
2. Edit the research questions and options.
3. Select or provide a list of research.
4. Review your research.
5. Start your research immediately or save it for later.

Step 1b: Choose Research Type

- Choose from a menu of Market Research tools, including:
 - Audience Identification and Lifestyle: learn more about the characteristics of your audience.
 - eContent and eMessaging/Image: determine your users' Impressions of the quality of your site and its content.
 - eCommunications and eMerchandising: determine the effectiveness of your attempts to communicate and sell to your customers.
- Designed by NetRaker's team of professional market researchers.

- Conduct a task-based usability test.
- Select from a menu of supporting questionnaires tailored to the characteristics of your site.
- Designed by NetRaker's team of professional usability researchers.

- Create your own custom research from scratch.
- Use NetRaker's technology to ask users the questions you want to ask.
- Questionnaire writing experience recommended.

FIG._ 6E

Van Duyne et al. does not expressly teach an identified solution or subsequently presenting a (third) set of one or more questions to the visitor on a web page wherein the questions assist the visitor determine whether an identified solution to the problem is acceptable when compared to the visitor's criteria as claimed.

Morgen teaches presenting sets of one or more questions to users wherein the question set(s) assist users in determining whether an identified solution to a problem (i.e. what is missing from the users product, company, environment, service, etc.) is acceptable (workable, conceivable, understandable, viable, adequate, etc.) when compared to the user's criteria (parameters, needs, etc.) in an analogous art of assisting users in determining what is missing from a product/service/environment for the purposes of facilitating a user's discovery of solutions to his/her own problems, using both internal and/or external resources (Paragraphs 1-4, Page 6; Questions 3-4, Page 7; Question 7, Page 8; "it becomes your job to create the questions that will allow him to find those answers.", Paragraph 1, Page 28; Steps 1-10, Pages 85-87; Page 142).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for assisting users in determining what is missing from their website as taught by Van Duyne et al. would have benefited from identifying one or more solutions to the website problems wherein the solutions take into account the user's decision criteria in view of the teachings of Morgen; the resultant system/method assisting users in determining/discovery solutions to what is missing from their

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environment wherein those solutions meet a plurality of the user's decision criteria (problem space, solution space, cultural norms, etc.; Morgen: "a questioning and listening process, for the purpose of serving, that facilitates a buyer's discovery of how best to get his or her needs met.", Page 23; Paragraph 6, Page 25; "White Sock Drawer and The Missing Orange Sock", Page 71).

Neither Van Duyne et al. nor Morgen expressly teach that the questions are based on actual research on companies who complained that their websites were inadequate (unsuccessful, underperforming, etc.) as claimed.

Official notice is taken that there exists a plurality of actual research relating to the usability/effectiveness of websites wherein this research is utilized by people such as human computer interaction specialists and/or usability designers/engineers as the basis for testing and improving, via solutions, the usability of websites.

It would have been obvious to one skilled in the art at the time of the invention that the system and method for assisting users in determining problems related to what is missing from their website and determining/identifying one or more solutions as taught by the combination of Van Duyne et al. and Morgen would have benefited from leveraging a plurality of well known usability research to assist in the development of solutions to website problems in view of the teachings of official notice; the resultant system/method providing users with solutions to problems to what is missing from their

website wherein the solutions are based on actual research on users/companies having similar problems/challenges.

Regarding Claim 2 Van Duyne et al. does not expressly teach that the visitor's decision criteria include cultural norms held by the visitor as claimed.

Morgen teaches that the customer's (visitor, client, user, etc.) decision criteria includes cultural norms held by the user in an analogous art of in an analogous art of assisting users in determining what is missing from their environment (Paragraphs 1-4, Page 6) for the purposes of facilitating a users determination/discovery of solutions to what is missing from their environment wherein those solutions meet a plurality of the user's decision criteria (problem space, solution space, cultural norms, etc.; Questions 3-4, 6, Page 7; Question 7, Page 8; Last Paragraph, Page 57).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for assisting users in determining what is missing from their website as taught by Van Duyne et al. would have benefited from taking into account the user's cultural norm decision criteria in view of the teachings of Morgen; the resultant system/method assisting users in determining/discovery solutions to what is missing from the environment wherein those solutions meet a plurality of the users decision criteria (problem space, solution space, cultural norms, etc.; Morgen: Bullets 1-4, Page 74; Figure, Page 76).

Regarding Claim 3 Van Duyne et al. is silent on how the sets of questions interact and subsequently does not expressly teach that the second set of one or more questions is presented to the user in response to the users selection of a response to the first set of one or more questions and wherein the third set of one of one or more questions is presented to the visitor in response to the visitors selecting a response to the second set of one or more questions as claimed.

Morgen teaches a process wherein several rounds of questions are successively asked, answered and refined such that subsequent rounds/sets (the second set) of one or more questions is presented to the user based on the user's responses to previous rounds/sets (the first set) of one or more questions in an analogous art of assisting users in solving problems related to their current environment (decision funnel; "Once missing pieces start coming forth, the seller changes his questioning to assist the buy in looking at the buyers own internal resources to meet the needs.", Last Paragraph, Page 58; Paragraphs 1-2, Page 59) for the purposes of facilitating a users in discovery solutions of what is missing from the user's environment wherein those solutions are developed/identified through a set of one or more questions which are continually adapted/changed based on the users response to previous answers/responses (Page 61).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for assisting users in determining what is missing from their website as taught by Van Duyne et al. would have benefited from using an iterative question-response method in view of the teachings of Morgen; the resultant system/method leading users through a sequential thinking process to assist users in understanding, identifying and selecting the best available solution to a problem (Morgen: Last Paragraph, Page 87).

Regarding Claim 4 Van Duyne et al. teach presenting the results of the website research/study and the subsequent revision of the website and/or research based on the results, as discussed above.

Van Duyne et al. does not expressly teach generating/determining identified solutions or subsequently presenting details on the identified solutions to the user in response to the user selection an identified solution as claimed.

Morgen teaches determining/generating identified solutions, based on one or more sets of questions regarding what is missing from a users environment, as well as presenting details to the user based on the user's selection of an identified solution in an analogous art of assisting users in solving problems related to their current environment for the purposes of method leading users through a sequential thinking process to assist them in understanding, identifying and selecting the best available

solution to a problem (solution space, Steps 1-10, Pages 85-87; Last Paragraph, Page 87; Page 137).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for assisting users in determining what is missing from their website as taught by Van Duyne et al. would have benefited from generating/determining solutions as well as providing users with additional details/information on selected/identified solutions in view of the teachings of Morgen; the resultant system/method further assisting users identify/discover solutions to “fixing” what is missing from their websites (Morgen: Page 6; “White Sock Drawer and The Missing Orange Sock”, Page 71).

Regarding Claims 5-7 Van Duyne et al. teach a system and method for assisting users in determining what is missing from their website wherein website visitors are asked a plurality of predefined as well as custom sets of one or more questions regarding the website (usability, brand, performance, etc.), as discussed above.

Official notice is taken that there are a plurality of questions used in usability testing/research which assist users in determining what is missing from their website including such questions/question sets for determining what prevents users from completing one or more tasks (i.e. What is preventing a visitor from having all their needs met with their current resources?), what would visitors do to enhance/improve a

website (i.e. What would the visitor be willing to do differently to have a better chance at achieving their desired outcome?, What would they need to see on this page to get the outcome they are seeking?); how would visitors know they have accomplished a task (How would they know what this site would help?, How would the visitor know they are successful in getting their needs met?) or the like.

It would have been obvious to one skilled in the art at the time of the invention that the system and method for assisting users in determining what is missing from their website would have benefited to asking website visitors a plurality of questions regarding what is missing from the website including but not limited to well known website usability questions in view of the teachings of official notice; the resultant system/method assisting users in making their website more usable.

Further it is noted that while Van Duyne et al. does not expressly teach the exact questions recited in claims 5-7, these differences are only found in the non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific phrasing of the questions used to evaluate the visitor's website. Further, the structural elements remain the same regardless of the phrasing of the questions used to evaluate the visitor's website. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re*

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Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Fagg et al., U.S. Patent No. 5,978,784, teach a system and method for dynamically generating one or more sets of one or more questions.
- Nikerson et al., U.S. Patent No. 6,421,724, teach a system and method for determining what is missing from a website by capturing website feedback from visitor's to the website.

- Wu et al., U.S. Patent No. 6,741,967, teach a system and method for determining what is missing from a website by conducting well known usability testing via the web wherein the usability tests measure how effectively the website supports the visitor's objectives.

- Ruppelt et al., U.S. Patent No. 6,795,810, teach an online system and method for assisting users in making criteria based decisions.

- Nickerson et al., U.S. Patent No. 6,928,392, teach a system and method for assisting users in determining the effectiveness of their website by posing one or more sets of questions to visitor's of the website.

- Peterson, Robin, The Canape Approach to Professional Selling (1988) teaches a method for assisting users in discovering solutions to identified problems using an collaborative/solution selling approach.

- Stettner, Morey, Salespeople Who Listen (1988) teach a method for assisting users in identifying problems and generating solutions by asking questions and listening.

- Anthony, Mark, Probing skills to uncover customer needs (1995) teaches a method for facilitating the buying process wherein sellers ask one or more sets of questions to learn about a buyers environment and needs in order to provide/identify one or more solutions to meet those needs/meet the buyers decision criteria.

- Pearrow, Mark, Website Usability Handbook (2000) teaches a plurality of website usability solutions for assisting users in identifying and solving common website usability problems.

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- Spool et al., Website Usability (1998) teaches a method for assisting users in identifying and resolving website usability problems wherein the problems and identified solutions are based on actual research on companies whose websites wherein inadequate.

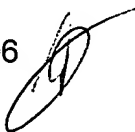
- TheMissingPiece.com (2000) teaches a method for assisting users in identifying and fixing what is missing from their website.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SJ
4/3/2006



TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600